

**KENTUCKY SHERIFFS' ASSOCIATION
BOARD OF DIRECTORS MEETING
Frankfort, KY
November 29, 2011**

- 1 Call to order
Roll call of members
Pledge
Recognition of guests
- 2 Review of previous minutes-Sheriff Korzenborn
- 3 Treasurers' Report-Sheriff Korzenborn
- 4 KSA Executive Directors Report - Jerry Wagner
KSA Boys and Girls Ranch
- 5 Presidents Agenda-Sheriff Hampton
KSA Conference/Board Housing
NSA Winter Conference, Washington DC, Jan 18-21 — *we should discuss*
NSA Conference, Opryland Nashville TN, June 17-20 — *KSA Block rooms Feb 21*
- 6 Legislation 2012-John Aubrey ~
- 7 KLEC Report-Sheriff Keith Cain ~
- 8 KACO Report-Sheriff Bruce Hampton ~
- 9 Old Business
- 10 New Business
- 11 Next meeting
Adjourn

KENTUCKY SHERIFF'S ASSOCIATION
11/29/2011
LOUISVILLE, KENTUCKY

Meeting called to order at 10:00 AM Eastern Standard Time.

Sheriff Korzenborn called role. Sheriff's absent: Sheriff Brady, Sheriff Blackburn, Sheriff Roberts, and Sheriff Whittaker.

Sheriff Korzenborn certified a quorum.

Motion was made by Sheriff Cain and seconded by Sheriff Peoples to excuse the absent board members. Motion was approved unanimously.

MINUTES OF PRIOR MEETING

Motion was made to approve the October 26, 2011 minutes made by Sheriff Wright and seconded by Sheriff Williams to approve the minutes of the prior meeting as written. Motion was approved unanimously.

KENTUCKY SHERIFF'S ASSOCIATION SECRETARY/TREASURER REPORT

October 20, 2011 through November 28, 2011

Paid bills per President Hampton or Board Approval at KSA Meeting

KSA Operating Account Balance as of 11/28/2011	\$	3,265.22
KSA Savings Account	\$	131,495.53
KSA Scholarship Account as of	\$	453.91
KSA Convention Account as of	\$	11,238.59

Dues Collected for the Year of 2011

The totals dues billed for the year 2011 are \$118,056.00. As of 11/28/2011 \$113,688.00 for a total of (96.30%) has been collected. That leaves an outstanding balance of \$4,368.00

See Attachment of Account Details.

See attached for Check and Deposit Detail.

**Motion to Accept Sheriff Sparrow
2nd Sheriff Gaines**

UNPAID BILLS FOR BOARD APPROVAL

**Sheriff Bruce Hampton KACo Conference \$261.00
KSA Director Jerry Wagner KACo Conference and meeting
\$1043.58**

**Motion to Accept Sheriff Cain
2nd Sheriff Coffey**

KSA EXECUTIVE DIRECTOR'S REPORT
KSA BOYS/GIRLS RANCH REPORT
KSA Executive Director Wagner Report

KSA Executive Director Jerry Wagner- copies of the August and September 2011 Financial reports were distributed to the board.

Motion was made to approve the KSA Boys and Girls financial report made by Sheriff Gaines and seconded by Sheriff Coffey. Motion was approved unanimously.

218A 420- See Attachment about compliance in section 7 in reference to asset forfeiture and training requirements. The KSA will work with Sheriff Cain and KLEC to set up training on a certified course for Sheriff's in the future.

Director Wagner advised the board that a scholarship fund has been set up on behalf of Alyssa Kelty daughter of Sheriff Ernest Kelty. **A motion to contribute \$500.00 to the Alyssa Kelty scholarship made by Sheriff Wright, seconded by Sheriff Coffey. Motion was approved unanimously.**

Sheriff Cain was contacted by the state police about putting on a training class in reference to CCDW for Sheriffs.

PRESIDENT AGENDA

NSA Winter Conference- Washington D.C.
01/18-1/21/2012 No Block of Rooms

NSA Conference Opryland Nashville TN, -
06/17/2012-06/20/2012; The KSA has block of Rooms
Contact KSA Director Jerry Wagner or Corky Wagner
before February 28.

KSA Convention Report the Expenses were
\$65,686.00 and the revenues were \$82,115.00 for a total
profit of \$16,430.00.

**Motion by Sheriff Gaines that board members
receive 2 nights of their rooms paid at the annual
conference and all other essential personnel get their
rooms paid for the entire conference. This would
include the KSA Director, the host Sheriff and the
President and support staff to help coordinating
events. Seconded by Sheriff Cain, Motion was
approved unanimously.**

KSA Dues- the board discussed the dues of raising it
between 1% to 3% after discussion of other
association's dues that the KSA was significantly
lower than other Kentucky associations, **Sheriff Coffey
made a motion to raise the dues 3%, seconded by
Sheriff Gaines, Motion was approved unanimously.**

LEGISLATIVE UPDATE

Sheriff Aubrey-The KSA will be working on
legislation to help increase the Court security fees.

LEGISLATIVE UPDATE

Director Wagner- addressed the board and gave the breakdown of Court Security fees;

1996 rose to \$8.00 an hour;

2000 rose to \$10 to \$12 an hour but was taken by Governor for Emergency purposes to help fund AOC and constructions of new Justice Centers.

If Sheriff's choose to opt out of Court Security they would lose the \$8.00 an hour reimbursement.

Sheriff Aubrey reported to the board that he has been attending a lot of fund raisers for legislators and talking to them about the KSA need to get the court security pay increased. Sheriff Aubrey encourages all Sheriffs to get to their legislators and any member of House or Senate Leadership to help get this passed.

Sheriff Williams spoke to the KSA attorney and committee members in reference to the fire tax issue. It is going to take a one line change in KRS 75.450 the existing law to add the percentage for the collection of fire fees, and fire dues. A letter will be sent to KFA in reference to this change.

HB 463- A meeting will be held on December 9 in reference to problems or concerns with this law.

LEGISLATIVE UPDATE

Sheriff Cain-The Meth bill and the legalization of pseudoephedrine has been file by Rep. Yonts, it is BR396. Sheriff Cain requested that KACo would hear both sides of this bill before making a decision to support or be against this bill.

Sheriff Cain- the governor's office wanted KLEC to contact organizations that receive KLEFPF. 300 certified officers are not in KLEFPF at this time, the KLEC is in support of the governor's position to add the officers to the KLEFPF. **Sheriff Cain's motion is for the KSA to support this as long as the KSA reviews the bill and participates when it is being written. Seconded by Sheriff Marcum, Motion was approved unanimously.**

OLD BUSINESS

Sheriff Cain The state Police Department is awaiting a date from the KSA to put on a training class in reference to CCDW for Sheriffs.

Sheriff Cain has been in contact with JR Brown in reference to the mandatory duties of the Sheriffs class, the class will be offered in 2012.

Sheriff Coffey wanted to know if there were any updates on the home school high school diplomas being accepted by DOCJT. Sheriff Cain stated he would check on this and would get back to the board.

NEW BUSINESS

Sheriff Marcum wanted to know if there were any pictures or updates of the Jeep winner. KSA director reported that the winner arrived at the dealership had his picture taken and sold the Jeep back to the dealership.

Sheriff Melton advised the board of the Governors inauguration December 13, 2011. Sheriff Melton has requested that an email be sent out to the KSA and is requesting deputies from across the Commonwealth help participate in the event.

KACO REPORT

Next Meeting will be December 15, 2012

KLEC REPORT

See Sheriff Cain's report attached.

CRIMINAL INVESTIGATION
(270) 685-6131

PATROL DIVISION
(270) 685-8444
FAX (270) 685-8464

DAVIESS COUNTY SHERIFF'S OFFICE



CIVIL PROCESS
(270) 685-8444

TAX COLLECTION
(270) 685-6133
FAX (270) 685-6135

MEMORANDUM

DATE: December 7, 2011

TO: Kentucky Sheriff's Association
Board of Directors

FROM: Sheriff Keith Cain 

REF: November Report

The Kentucky Law Enforcement Council met on 9 and 10 November 2011 in Louisville. There was considerable routine business as well as several non-routine business matters. Of all of these, please accept the following report to the Association.

1. Curriculum Committee: Routine business
2. Instructor Certification: Routine Business
3. PO/PS Committee: Routine business
4. Barney Kinman, who has been assigned by Justice Secretary J. Michael Brown to oversee the KLEC monitors, introduced himself to the members.
5. Secretary J. Michael Brown of the Justice and Public Safety Cabinet discussed ongoing issues with the Council on Thursday during what has become his regular place on the agenda.
6. The Council voted to request that Keith Cain, as chair, send a letter to the Governor's office endorsing a bill in the 2012 Regular Session that would bring all certified peace officers into the Kentucky Law Enforcement Foundation Program Fund (KLEFFP).

"Making A Difference"

NEXT MEETING

The next **KSA Board Meeting** will be January 4, 2012

Empico a pre employee testing company will be attending this meeting to do a presentation

Motion to adjourn was made by Sheriff Sparrow and seconded by Sheriff Young. Motion was passed unanimously.

218A.420 Procedure for disposal of seized and forfeited property -- Distribution of proceeds -- Administrative regulations on use of funds -- Adoption of policies for seizure of forfeitable assets -- Asset-forfeiture training -- Vehicles -- Joint operations.

- (1) All property which is subject to forfeiture under this chapter shall be disposed of in accordance with this section.
- (2) All controlled substances which are seized and forfeited under this chapter shall be ordered destroyed by the order of the trial court unless there is a legal use for them, in which case they may be sold to a proper buyer as determined by the Cabinet for Health and Family Services by promulgated regulations. Property other than controlled substances may be destroyed on order of the trial court.
- (3) When property other than controlled substances is forfeited under this chapter and not retained for official use, it may be sold for its cash value. Any sale shall be a public sale advertised pursuant to KRS Chapter 424.
- (4) Coin, currency, or the proceeds from the sale of property forfeited shall be distributed as follows:
 - (a) Eighty-five percent (85%) shall be paid to the law enforcement agency or agencies which seized the property, to be used for direct law enforcement purposes; and
 - (b) Fifteen percent (15%) shall be paid to the Office of the Attorney General or, in the alternative, the fifteen percent (15%) shall be paid to the Prosecutors Advisory Council for deposit on behalf of the Commonwealth's attorney or county attorney who has participated in the forfeiture proceeding, as determined by the court pursuant to subsection (9) of this section. Notwithstanding KRS Chapter 48, these funds shall be exempt from any state budget reduction acts.

The moneys identified in this subsection are intended to supplement any funds otherwise appropriated to the recipient and shall not supplant other funding of any recipient.
- (5) The Attorney General, after consultation with the Prosecutors Advisory Council, shall promulgate administrative regulations to establish the specific purposes for which these funds shall be expended.
- (6) Each state and local law enforcement agency that seizes property for the purpose of forfeiture under KRS 218A.410 shall, prior to receiving any forfeited property, adopt policies relating to the seizure, maintenance, storage, and care of property pending forfeiture which are in compliance with or substantially comply with the model policy for seizure of forfeitable assets by law enforcement agencies published by the Department of Criminal Justice Training. However, a state or local law enforcement agency may adopt policies that are more restrictive on the agency than those contained in the model policy and that fairly and uniformly implement the provisions of this chapter.
- (7) Each state or local law enforcement agency that seizes property for the purpose of forfeiture under KRS 218A.410 shall, prior to receiving forfeited property, have one

(1) or more officers currently employed attend asset-forfeiture training approved by the Kentucky Law Enforcement Council, which shall approve a curriculum of study for asset-forfeiture training

- (8) Other provisions of this section notwithstanding, any vehicle seized by a law enforcement agency which is forfeited pursuant to this chapter may be retained by the seizing agency for official use or sold within its discretion. Proceeds from the sale shall remain with the agency. The moneys shall be utilized for purposes consistent with KRS 218A.405 to 218A.460. The seizing agency shall be required to pay any bona fide perfected security interest on any vehicle so forfeited.
- (9) When money or property is seized in a joint operation involving more than one (1) law enforcement agency or prosecutorial office, the apportionment of funds to each pursuant to subsection (4) of this section shall be made among the agencies in a manner to reflect the degree of participation of each agency in the law enforcement effort resulting in the forfeiture, taking into account the total value of all property forfeited and the total law enforcement effort with respect to the violation of law on which the forfeiture is based. The trial court shall determine the proper division and include the determination in the final order of forfeiture.

Effective: June 26, 2007

History: Amended 2007 Ky. Acts ch. 124, sec. 13, effective June 26, 2007. -- Amended 2005 Ky. Acts ch. 99, sec. 551, effective June 20, 2005. -- Amended 1998 Ky. Acts ch. 426, sec. 491, effective July 15, 1998. -- Amended 1999 Ky. Acts ch. 445, sec. 3, effective July 13, 1999. -- Created 1984 Ky. Acts ch. 104, sec. 3, effective July 13, 1984.